

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application Number : 10/734,161 Confirmation No.: 2165
Applicant : Kevin T. FOLEY
Filed : December 15, 2003
Title : METHODS FOR PERCUTANEOUS SURGERY
TC/Art Unit : 3738
Examiner: : David H. WILLSE
Docket No. : 64118.000045
Customer No. : 21967

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FOURTH INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants submit attached Form PTO-SB/08A for consideration and request the references cited therein be made of record by the U.S. Patent and Trademark Office (USPTO) in the above-captioned application.

A copy of each of the cited references, other than U.S. Patents and published U.S. Applications, is enclosed with this communication. Consideration of the cited references plus the prompt return of a copy of the enclosed Form SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c)(2), a check which includes the amount of \$180.00 as set forth in § 1.17(p) is enclosed. In the event any variance exists between the

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amount enclosed and the USPTO charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: JULY 3, 2006

By:



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Substitute for form 1449A/PTO



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number

10/734,161

Filing Date

December 15, 2003

First Named Inventor

Kevin T. FOLEY

Art Unit

3738

Examiner Name

David H. WILLSE

Sheet

1 of 1

Attorney Docket Number

64118.000045

U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,790,297	12-13-1988	Luque	
		US- 5,196,015	03-23-1993	Neubardt	
		US- 5,382,248	01-17-1995	Jacobson	
		US- 5,395,371	03-07-1995	Miller	

FOREIGN PATENT DOCUMENTS

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code Number-Kind Code (if known)				YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION
			YES NO
		Proposed Rule and Comment of the U.S. Food and Drug Administration (FDA) for Classification, Reclassification and Codification of Pedicle Screw Spinal Systems, 60 Fed. Reg. 51946-51962 (Oct. 4, 1995).	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.